

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 ENGROSSED SENATE
5 BILL NO. 12

By: Brecheen of the Senate

and

Bennett (John) of the House

6
7
8
9 An Act relating to campus security; amending 74 O.S.
10 2011, Sections 360.16, as amended by Section 2,
11 Chapter 48, O.S.L. 2012 and 360.18, as amended by
12 Section 4, Chapter 48, O.S.L. 2012, (74 O.S. Supp.
13 2016, Sections 360.16 and 360.18), which relate to
14 the Oklahoma Campus Security Act; modifying
15 definitions; modifying inclusions; and providing an
16 effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 74 O.S. 2011, Section 360.16, as
19 amended by Section 2, Chapter 48, O.S.L. 2012 (74 O.S. Supp. 2016,
20 Section 360.16), is amended to read as follows:

21 Section 360.16. As used in the Oklahoma Campus Security Act:

22 1. "Campus" means the real property, buildings and other
23 improvements within this state owned, leased or rented by an
24 institution of higher education, a public school district, a private
school or an airport public trust, as defined in this section;

1 2. "Campus police officer" means an individual holding a
2 commission from and employed by an institution of higher education,
3 a public school district, a private school or an airport public
4 trust pursuant to the Oklahoma Campus Security Act, who may also be
5 known as a "campus public safety officer", an "airport officer", an
6 "airport police officer" or an "airport security officer";

7 3. "Commission" means a certificate of appointment by the
8 governing board of an institution of higher education or of a
9 private school or a board of education of a public school district
10 of an individual certified as a full-time police or peace officer
11 pursuant to Section 3311 of Title 70 of the Oklahoma Statutes;

12 4. "Governing board" means the board of regents or trustees
13 which determines management policy and has responsibility for the
14 general government of an institution of higher education or of a
15 private school or the board of education of a public school
16 district;

17 5. "Institution of higher education" means a college,
18 university, higher educational center, or other constituent agency
19 of The Oklahoma State System of Higher Education or a private
20 college or university in this state whose accreditation is
21 recognized by the Oklahoma State Regents for Higher Education
22 pursuant to Section 4103 of Title 70 of the Oklahoma Statutes;

1 6. "Public school district" means all free schools supported by
2 public taxation and shall include K-12 schools and technology center
3 schools; ~~and~~

4 7. "Airport public trust" means a public trust created under
5 the laws of this state which operates an airport and whose
6 beneficiary is an Oklahoma municipality or a combination of one or
7 more Oklahoma municipalities and/or one or more Oklahoma counties;
8 and

9 8. "Private school" means a school that offers a course of
10 instruction for students in one or more grades from prekindergarten
11 through grade twelve and is not operated by a governmental entity.

12 SECTION 2. AMENDATORY 74 O.S. 2011, Section 360.18, as
13 amended by Section 4, Chapter 48, O.S.L. 2012 (74 O.S. Supp. 2016,
14 Section 360.18), is amended to read as follows:

15 Section 360.18. A. Governing boards of institutions of higher
16 education or private schools, boards of education of public school
17 districts and airport public trusts are authorized to establish
18 campus police departments pursuant to the provisions of the Oklahoma
19 Campus Security Act. In the case of airport public trusts operating
20 more than one airport, the board of trustees of such airport public
21 trust is authorized to establish campus police departments at any
22 airport it operates, but is not required to establish campus police
23 departments at all airports operated by such airport public trust.
24 These boards may employ and commission campus police officers and

1 may designate uniforms, badges and insignia to be worn by such
2 officers and displayed on vehicles or other equipment of the
3 department. Campus police departments shall use the following words
4 or phrases, alone or in any combination, in conjunction with the
5 uniform, badges, insignia or on vehicles utilized by these
6 departments: university police, university public safety department,
7 campus police department, campus police officer, campus public
8 safety department, campus public safety officer, airport officer,
9 airport police officer, airport security officer, airport public
10 safety officer or any standardized title such as director, chief,
11 major, captain, lieutenant, sergeant, or corporal. Upon
12 appointment, each such officer shall be given a written commission,
13 with a photo identification, evidencing the officer's appointment
14 and authority. The form of this commission shall be prescribed by
15 the governing boards specified in Section 360.15 et seq. of this
16 title. Persons employed by a governing board which has established
17 a campus police department but who are not campus police officers
18 shall not be permitted to wear uniforms, badges or insignia
19 specified in this subsection or receive commissions or photo
20 identification of the type provided campus police officers.

21 B. The commission of a campus police officer may be suspended
22 or revoked by the governing board for any reason. Such commission
23 also may be suspended or revoked by the district attorney in whose
24 district the officer is employed for cause related to the campus

1 police officer's ability to exercise the powers of such commission
2 in the interest of public security or suspended or revoked by the
3 district attorney upon conviction of the campus police officer for
4 larceny, theft, embezzlement, false pretense, fraud, any
5 nonconsensual sex offense, any offense involving a minor as a
6 victim, any offense involving the possession, use, distribution or
7 sale of a controlled dangerous substance, or any offense involving a
8 firearm. The commission of a campus police officer convicted of a
9 felony or of a crime involving moral turpitude shall be revoked by
10 the district attorney upon conviction. The commission of a campus
11 police officer no longer employed by the governing board, except an
12 officer who is retiring, shall be relinquished to the board, or its
13 representative, at the time of cessation of ~~said~~ the employment.
14 When a commission is revoked or relinquished, the campus police
15 department shall take possession of all campus police officer
16 insignia, badges, identification cards and weapons issued to the
17 officer. A person who fails to relinquish ~~said~~ the insignia,
18 badges, identification cards or weapons, upon conviction, shall be
19 deemed guilty of a misdemeanor and shall be punished by the
20 imposition of a fine of not more than One Thousand Dollars
21 (\$1,000.00) or by imprisonment in the county jail for not to exceed
22 one (1) year, or by both such fine and imprisonment.

23 C. Governing boards shall notify the Council on Law Enforcement
24 Education and Training (CLEET) when an officer is commissioned or a

1 commission is relinquished or revoked. The governing boards shall
2 provide CLEET with all information regarding commissioned officers
3 requested by CLEET.

4 D. A campus police officer employed pursuant to the Oklahoma
5 Campus Security Act shall not be able to participate in either the
6 Oklahoma Police Pension and Retirement System or the Oklahoma Law
7 Enforcement Retirement System, unless otherwise entitled to by law.

8 SECTION 3. This act shall become effective November 1, 2017.

9
10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL AND
11 ENVIRONMENTAL, dated 04/04/2017 - DO PASS.
12
13
14
15
16
17
18
19
20
21
22
23
24